

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Lauren Colvin, et al.,

Plaintiffs

v.

Fenix International Limited, et al.,

Defendants

Case No. 2:22-cv-01395-CDS-DJA

**Notice Regarding Intent to
Dismiss Under Local Rule 41-1**

Plaintiffs Lauren Colvin, Youree Gemmill, and Pathamawan Hanford initiated this action in the Eighth Judicial District Court in Clark County, Nevada in June of 2021. Compl., Defs.' Ex. A, ECF No. 2 at 8. Defendants Fenix International Limited dba OnlyFans removed it to federal court in August 2022. Pet., ECF No. 1. Since that time there has been no substantive activity in this matter.

This district's Local Rules provide for dismissal of an action for want of prosecution:

All civil actions that have been pending in this Court for more than 270 days without any proceeding of record having been taken may, after notice, be dismissed for want of prosecution by the court sua sponte or on the motion of an attorney or pro se party.

LR 41-1. Further, it is within the inherent power and discretion of the court to sua sponte dismiss a civil case for lack of prosecution. Fed. R. Civ. P. 41(b). A plaintiff must prosecute his case with "reasonable diligence" to avoid dismissal under to Rule 41(b). *Anderson v. Air W., Inc.*, 542 F.2d 522, 524 (9th Cir. 1976).

Here, it appears that plaintiffs have failed to prosecute with reasonable diligence because this case has laid dormant since July of 2023. *See* ECF No. 37. Thus, this order serves as notice

1 that the complaint may be dismissed for failure to prosecute unless plaintiffs take action in this
2 matter. Continued failure to properly prosecute will result in dismissal without prejudice, and
3 without further notice, on May 9, 2024.

4 Dated: April 22, 2024

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6 Cristina D. Silva
7 United States District Judge
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